

Appln. No.: 09/909,179
Amendment Dated May 23, 2005
Reply to Office Action of February 23, 2005

MATP-610US

Remarks/Arguments:

Claims 1-14 are pending in the above-identified application. Claims 1-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cannon et al. This ground for rejection is overcome by the amendments to claims 1, 2, 7, 11 and 12. In particular, Cannon et al. do not disclose or suggest, "means for determining if a video recorder controlled by the video recorder programming device has sufficient storage to store video information corresponding to the recording parameter data and for prompting the user for instructions if the video recorder does not have sufficient storage to store the video information," as set forth in amended claim 1. Amended claims 2, 7, 11 and 12 include similar limitations. Basis for this amendment may be found in steps 230 and 232 of Fig. 6 and in paragraph [0030]. No new matter is added by this amendment.

The Cannon et al. patent concerns a telephone-enabled remote video programming device. It does not disclose or suggest any method for determining an amount of storage remaining on the storage device nor any means for prompting a user for instructions if it is determined that the remaining storage is insufficient to hold the video information corresponding to the newly-entered program.

This feature provides an advantage over the system described by Cannon et al. as it allows a user to prioritize the recording of the new video information against previously recorded video information and video information for which recording commands have been received but that has not yet been recorded. It is unclear how this situation would be handled by the system disclosed by Cannon et al.

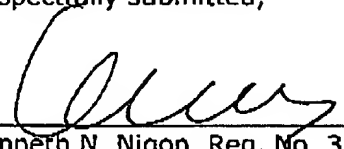
Because this feature of claims 1, 2, 7, 11 and 12 is missing from Cannon et al., the subject invention is not subject to rejection under 35 U.S.C. § 102(b) or 102(e) in view of Cannon et al. Claims 3-6 depend from claim 1, claims 8-10 depend from claim 7 and claims 13 and 14 depend from claim 12. Accordingly, these claims are not subject to rejection under 35 U.S.C. § 102(b) or 102(e) in view of Cannon et al. for at least the same reasons as claims 1, 7 and 12.

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In view of the foregoing amendments and remarks, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1-14.

Respectfully submitted,


Kenneth N. Nigon, Reg. No. 31,549
Attorney for Applicants

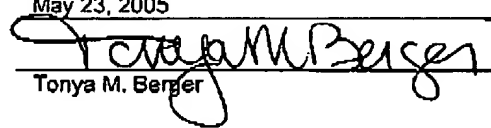
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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

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May 23, 2005


Tonya M. Berger

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